

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE ANTONIO RODRIGUEZ,

Plaintiff,

v.

VIRGINIA M CERVANTEZ,

Defendant.


Case No. [21-cv-01033-HSG](#)

ORDER OF DISMISSAL

On February 10, 2021, Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Dkt. No. 1. That same day, the Clerk of the Court informed Plaintiff that this action was deficient because he had not submitted his prisoner trust account statement and a Certificate of Funds in Prisoner's Account, both of which are required to complete the *in forma pauperis* application. Dkt. No. 4. Plaintiff was instructed to respond within twenty-eight days of the date of the order. Dkt. No. 4. The deadline has passed, and Plaintiff has not submitted his prisoner trust account statement or the Certificate of Funds in Prisoner's Account, or otherwise communicated with the Court. The Court therefore DISMISSES this action without prejudice. Because this dismissal is without prejudice, Plaintiff may move to reopen the action. Any such motion must contain either the full filing fee or a complete *in forma pauperis* application, i.e. the correct *in forma pauperis* application accompanied by both a prisoner trust account statement and a Certificate of Funds in Prisoner's Account.

IT IS SO ORDERED.

Dated: 4/5/2021


HAYWOOD S. GILLIAM, JR.
United States District Judge